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Senate

The Senate met at 2 p.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O, holy God, who has taught us to place our confidence in You, give the Members of this body the power of Your wisdom. In all their duties, empower them to be loyal to You and obedient to Your precepts. Infuse them with faith to believe that You are willing to help them solve the problems they face when they place their trust in You. Lord, be their abiding reality and lead them into the paths of loving service, as they strive to honor You. Open their eyes to the many things they can do to accomplish Your will.

Today, Lord, we thank You for the life and legacy of former Congressman Jack Kemp. Comfort all who mourn his death and give them Your peace.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 4, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WARNER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, if any, there will be a period of morning business for up to 1 hour with Senators permitted to speak therein for up to 10 minutes each.

Following morning business, the Senate will resume consideration of the mortgage fraud legislation. At 5 p.m. there will be up to 30 minutes of debate equally divided and controlled between Senators DODD and VITTER or their designees. At 5:30, the Senate will vote on Vitter amendment No. 1016 and, following that vote, 1017. The second vote will be 10 minutes in duration.

Last week the managers of the bill were able to reach an agreement to limit the number of amendments to the bill. It is my understanding that all amendments will not be debated and voted on here. But we will wait and see. We hope to consider the remaining amendments on the list today and tomorrow so we are able to finish passage of this bill tomorrow.

We will work as late as necessary tomorrow to do our best to complete the legislation.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

GITMO

Mr. MCCONNELL. Mr. President, with the administration still unsure of what to do with the detainees at Guantanamo, Attorney General Holder has described its arbitrary closing date as one of his most daunting challenges. Secretary Gates said some would be released or transferred overseas, some tried in American courts, and the administration doesn't know what to do with 50 to 100 who can't be released or tried. Clearly, the administration lacks a plan and a safe alternative for closing Guantanamo. Let me make a suggestion. The administration should reconsider its arbitrary deadline on Guantanamo, as it has reconsidered its commitment to arbitrary withdrawal deadlines in Iraq. Once the administration has a plan to safely detain, prosecute or transfer these detainees, Congress should be consulted and briefed to evaluate the proposal. With no safe alternative, this is the only sensible approach.

No American will penalize the administration for putting safety over symbolism. Europe should not either, since it has been far more critical than helpful. It is increasingly clear that working through the problems related to Guantanamo will require time and close consultation with Congress. The Senate voted 94 to 3 against sending detainees to American soil even if only to prisons. Let me say that again. The Senate voted 94 to 3 against sending detainees to U.S. prisons, not to mention the possibility that they would simply be released into neighborhoods. Secretary Gates has conceded that no one wants these detainees in their communities.

The legal authority for releasing trained terrorists is in question, a concern the administration hasn't publicly

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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